



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

SEP 25 2007

Date =
Sept. 25, 2007
PSP

Mr. George Pavlou, Director
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II
290 Broadway
New York, NY 10007-1866

Re: L.E. Carpenter /Dayco Superfund Site
Explanation of Significant Differences (ESD)

Dear Mr. Pavlou:

The New Jersey Department of Environmental Protection (NJDEP) has reviewed the "Explanation of Significant Differences for the L.E. Carpenter /Dayco Superfund Site, Wharton, Morris County, New Jersey" prepared by the U.S. Environmental Protection Agency (USEPA) Region II in September 2007 and concurs with its selected remedy to address lead, PCB, and DEHP contaminated soils at the site. The selected remedy is the excavation and off-site disposal of floating product and all soils above the New Jersey Residential Direct Contact Soil Cleanup Criteria (RDCSCC).

The major components of the selected remedy include:

- Floating product and associated smear zone soils were excavated and disposed of off-site as an alternative to the active removal system selected in the 1994 Record of Decision;
- Excavation and off-site disposal of soils containing PCBs and lead were completed to meet the more stringent RDCSCC at 0.49 ppm and 400 ppm, respectively;
- Bis (2-ethylhexyl) phthalate (DEHP) impacted soils were removed and disposed of off-site as opposed to being consolidated on-site into a soil treatment zone;
- Re-infiltration of treated groundwater will not be conducted for the purpose of treating contaminated soils, since contaminated site soils were removed to meet the RDCSCC; and

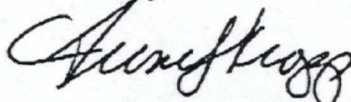


- An institutional control, in the form of a Deed Notice, is no longer necessary since the RDCSCC were met for PCBs and lead in soil at the site.

NJDEP appreciates the opportunity to participate in the decision making process to select an alternative remedy that is more protective of human health and the environment. This remedy more effectively addresses the floating product and contaminated soils at the site.

If you have any questions, please call Leonard Romino, Assistant Director of the Responsible Party Remediation Element, at 609-984-2902.

Sincerely,



Irene Kropp, Assistant Commissioner
Site Remediation and Waste Management Program

C: Leonard Romino, Assistant Director, Responsible Party Remediation Element
Carole Petersen, Chief, New Jersey Remediation Branch, USEPA